

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

BLUE STATE DIGITAL'S RULE 12(b)(6)
MOTION TO DISMISS SECOND AMENDED COUNTERCLAIM

Counterclaim Defendant Blue State Digital Inc. (“BSD”), by its attorneys, pursuant to Rule 12(b)(6), Fed.R.Civ.P., respectfully moves this Court for an order dismissing BSD from the Second Amended Counterclaim (Doc. 113) for failure to state a claim upon which relief can be granted. In support of its motion, BSD files today its memorandum of law and adopts and incorporates the memorandum of law filed by PRCG/Haggerty LLC in support of its motion to dismiss. (Doc. 142-1.)

Respectfully submitted,
/s/ Michael A. Kahn
Michael A. Kahn (#35411MO)
kahn@capessokol.com
Amy L. Fehr (#60033MO)
fehr@capessokol.com
Capes Sokol Goodman & Sarachan PC
7701 Forsyth Blvd., 12th Floor
St. Louis, Missouri 63105
Tel: (314) 505-5406
Attorneys for Blue State Digital Inc.

CERTIFICATE OF SERVICE

I hereby certify that on January 16, 2015, the foregoing was served on all counsel of record via this Court's electronic filing system.

/s/ Michael A. Kahn